

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

-against-

OVIDIO OCHOA,

Defendant.

ORDER

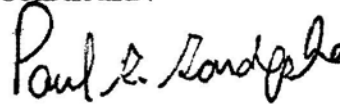
18 Cr. 37 (PGG)

PAUL G. GARDEPHE, U.S.D.J.:

The Presentence Investigation Report for Defendant Ovidio Ochoa states that he has four criminal history points, based on a 2003 conviction. (PSR (Dkt. No. 130) ¶¶ 54-59) At the Defendant's November 14, 2019 sentencing, however, this Court found that the 2003 conviction should not be counted for purposes of calculating the Defendant's Criminal History score. This Court concluded that the Defendant has no criminal history points and falls within Criminal History Category I. (Sentencing Tr. (Dkt. No. 154) at 12) Accordingly, the Probation Department is directed to prepare a revised Presentence Investigation Report reflecting that Ochoa has zero criminal history points and is in Criminal History Category I, and to forward the revised PSR to the Bureau of Prisons.

Dated: New York, New York
September 23, 2020

SO ORDERED.



Paul G. Gardephe
United States District Judge